

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Education and Cultural Affairs*

May 2002

Staff:

*Phillip D. McCarthy, Legislative Analyst
Lisa Baldwin, Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

Members:

*Sen. Betty Lou Mitchell, Chair
Sen. John M. Nutting
Sen. Margaret Rotundo*

*Rep. Shirley K. Richard, Chair
Rep. Mabel J. Desmond
Rep. James G. Skoglund
Rep. Elizabeth Watson
Rep. Stephen C. Estes
Rep. Glenn Cummings
Rep. Vaughn A. Stedman
Rep. Mary Black Andrews
Rep. Carol Weston
Rep. Mary Ellen Ledwin
Rep. Donald G. Soctomah*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Education and Cultural Affairs

Enacted law summary

Public Law 2001, chapter 480 amends the provisions of the student incentive scholarship program administered by the Finance Authority of Maine by eliminating the need that the student applicant be eligible for a Pell Grant to receive an award under the program.

LD 2043

**Resolve, to Study School Administrative Unit Organization in
Maine**

RESOLVE 80

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B	OTP-AM MAJ	S-428
RICHARD	ONTP MIN	H-843 DUPLESSIE

LD 2043 proposed to create a study group to examine school administrative unit organization in the State. It proposed that the study group research the history of formation of districts and participation in regional collaboratives in the State and in other states that may be applicable in the State. It proposed that the study group recommend incentives that might be used in the State to promote organizational characteristics that can be demonstrated to support high levels of student outcomes and efficient use of resources and to maintain school administrative units that already exhibit these organizational characteristics. It proposed that the study group also submit a preliminary report to the joint standing committee of the Legislative having jurisdiction over education matters by January 31, 2003 and a final report by January 20, 2004.

Committee Amendment "A" (S-428), which was the majority report of the Joint Standing Committee on Education and Cultural Affairs, proposed to make the following changes to the resolve:

1. Clarify that the Commissioner of Education and the Chair of the State Board of Education jointly appoint members of the study group from a list of candidates recommended by nominating authorities;
2. Provide that the nominating authorities select nominees who have experience working with or special knowledge of one or more types of school administrative unit or regional collaboratives;
3. Provide that the Commissioner of Education and the Chair of the State Board of Education give proper consideration to achieving statewide geographical representation in appointing members to the study group;
4. Provide that, when the appointment of all study group members is complete, the cochairs of the study group call and convene the first meeting of the study group;
5. Provide that the study group also investigate any existing disincentives to forming regional collaboratives and identify strategies that may be applicable to removing or overcoming these disincentives;
6. Provide that the study group consider the recommendations presented in the preliminary and final reports of the task force on school governance convened by the State Board of Education; and

Joint Standing Committee on Education and Cultural Affairs

7. Clarify that the joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters is authorized to submit its proposed legislation to the Second Regular Session of the 121st Legislature.

It also proposed to add a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-843), which was presented on behalf of the Committee on Bills in the Second Reading in order to make a technical change, proposed to correct an internal cross-reference to reflect the addition of a new section by the committee amendment.

Enacted law summary

Resolve 2001, chapter 80 directs the Commissioner of Education and the Chair of the State Board of Education to create a study group to examine school administrative unit organization in the State. The study group shall research the history of formation of districts and participation in regional collaboratives in the State and in other states that may be applicable in the State. The study group shall recommend incentives that might be used in the State to promote organizational characteristics that can be demonstrated to support high levels of student outcomes and efficient use of resources and to maintain school administrative units that already exhibit these organizational characteristics. The study group shall also investigate any existing disincentives to forming regional collaboratives and shall identify strategies that may be applicable to removing or overcoming these disincentives.

The resolve further directs the study group to submit a preliminary report to the joint standing committee of the Legislature having jurisdiction over education matters by January 31, 2003 and a final report by January 20, 2004. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs matters is authorized to submit proposed legislation to the Second Regular Session of the 121st Legislature.

LD 2048

An Act to Authorize the Yarmouth School Department to use the Construction-Manager-at-Risk Method of Construction Delivery for Locally Funded School Projects

**P & S 46
EMERGENCY**

Sponsor(s)
EDMONDS
BUCK

Committee Report
OTP

Amendments Adopted

LD 2048 proposed to authorize the Yarmouth School Department to construct locally funded improvements to the Yarmouth High School and the Rowe School in the Town of Yarmouth by the construction-manager-at-risk method of construction delivery rather than the design-bid-build method of construction delivery.

Enacted law summary

Private and Special Law 2001, chapter 46 authorizes the Yarmouth School Department to construct locally funded improvements to the Yarmouth High School and the Rowe School in the Town of Yarmouth by the